

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**LARRIE D. JEFFERSON,**  
**Plaintiff,**

**v.**

**JOHN E. WETZEL, et al.,**  
**Defendants.**

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**Civil Action No. 1:16-cv-245**

**Judge Susan Paradise Baxter**

**ORDER OF COURT**

Susan Paradise Baxter, District Judge

Plaintiff initiated the instant action on October 13, 2016. ECF No. 1. On December 4, 2017, the lone remaining defendant in this action, C.O. Behringer, filed a Motion for Summary Judgment. ECF No. 42. On August 8, 2018, the undersigned, then a United States Magistrate Judge, issued a Report and Recommendation that the Motion for Summary Judgment be denied. ECF No. 57. No objections to the Report and Recommendation were filed.

On September 14, 2018, the undersigned was sworn in as a United States District Judge. This action was reassigned to this Court's docket on September 17, 2018. ECF No. 62.

In light of the foregoing, it is HEREBY ORDERED that the Report and Recommendation issued on August 8, 2018, is converted into a final Memorandum Opinion. Consistent with the recommendation therein, Defendant's Motion for Summary Judgment is DENIED.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge

Dated: September 25, 2018